



*S. Little
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PATENT
*#18/Reg Recom.
N.E.*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Lixiao Wang et al
of:

Application No.: 08/685,338

Filed: July 23, 1996

For: HIGH COMPLIANCE, HIGH STRENGTH
CATHETER BALLOONS USEFUL FOR
TREATMENT OF GASTROINTESTINAL
LESIONS

Examiner: Cris L. Rodriguez

Group Art Unit: 3734

Assistant Commissioner for Patents
Washington, D.C. 20231

Docket No.: S63.2-5902

RESPONSE AFTER FINAL

REMARKS

In the final official action mailed September 4, 1998, claim 11 was rejected under 35 U.S.C. §102(e) and claims 12-17, 35-47 were rejected under 35 U.S.C. §103(a). These rejections are discussed in detail below.

Rejection under 35 U.S.C. §102(e)

(2)

Claim 11 was rejected under 35 U.S.C. §102(e) as being anticipated by Anderson et al. (5,500,180). It is asserted that Anderson et al. discloses a thermoplastic polymer material balloon, where the thermoplastic polymer material is a block copolymer material. The Examiner states in response to Applicant's previous arguments that "product by process claims" are not limited to the manipulation of the recited steps, but only the structure implied by the steps. It is further stated that the product in the product-by-process claim is the same as or obvious from a